

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

RHONDA KATCHENAGO o/b/o
R.J., a minor

Plaintiff,

v.

Case No. 07-C-100

MICHAEL ASTRUE
Commissioner of Social Security,

Defendant.

ORDER

Plaintiff brought an action for judicial review of the final decision of defendant Commissioner of Social Security (“Commissioner”) denying disability benefits to R.J., a minor of whom plaintiff is the legal guardian. Defendant has filed a motion to strike plaintiff’s forty-four-page brief on the ground that it exceeds the fifteen-page limit set forth in the clerk’s briefing letter.¹ Defendant notes that plaintiff did not seek leave of the court to file an oversized brief. Plaintiff counters by pointing to Local Rule 7.1(f), which states that briefs may not exceed 30 pages in length, “exclusive of pages containing the statement of facts.” Civil L.R. 7.1(f). Plaintiff argues that its brief comports with the local rule.

Defendant’s motion, though understandable, will be denied. The page limits set forth in the form briefing letter sent out by the clerk does conflict with the local rules concerning page limits in briefs. Upon consideration of the matter, I conclude that a fifteen-page limit in Social Security appeals is not sufficient to allow a full presentation of the issues and argument. These appeals are

¹ In the alternative, defendant requests that the court strike the excess pages.

generally fact intensive, and the law bearing on them- statutes, regulations, Social Security Rulings, and court decisions - is extensive. I will therefore direct the clerk to remove fifteen-page limit from future briefing letters. The parties are to adhere to the page limits as set forth in the Local Rules.

Defendant will be given 30 days from the date of this order to file its response brief. If plaintiff chooses to file a reply brief, it will be due 15 days after defendant's response brief is filed.

SO ORDERED this 20th day of July, 2007.

s/ William C. Griesbach
William C. Griesbach
United States District Judge